

## **Agencies Agree to Joint Regulatory Framework for Processing Applications for Surface Coal Mining Operations**

WASHINGTON, D.C. - Four Federal agencies have released a memorandum of understanding (MOU) that offers a joint framework to improve permit application procedures for surface coal mining operations that place dredged or fill material in waters of the United States.

The agencies involved in this agreement are the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service and U.S. Office of Surface Mining. Each will encourage states, tribes and agency field offices to develop collaborative processes that emphasize early and close interagency coordination while maintaining their independent jurisdictional roles.

This framework applies to two types of regulatory programs. It applies to the regulatory program administered by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act (CWA). It also applies to regulatory programs implementing the Surface Mining Control and Reclamation Act (SMCRA) of 1977. The Office of Surface Mining administers this program and delegates regulatory authority to states that meet or exceed its requirements.

"We intend to make the permit process more transparent and more understandable," said John Paul Woodley, Principal Deputy Assistant Secretary of the Army (Civil Works). "We will improve the efficiency and effectiveness of the permitting process."

The framework for the joint procedures preserves the authorities and responsibilities of each agency while encouraging participating offices and agencies to integrate efforts and establish a more coordinated regulatory process to the extent allowed by statute and regulation.

"Our intent is to create a collaborative review process with early, close coordination among the agencies," said Jeffrey D. Jarrett, Director of the Office of Surface Mining. "We want to improve the timeliness and clarity of the permitting process and to enhance communication among all involved."

The agencies already conduct similar separate reviews, and joint procedures will help them to minimize redundancy.

"This MOU offers a framework for better coordination and information-sharing for agencies reviewing proposed surface coal mining activities," said Benjamin H. Grumbles, Assistant Administrator for Water in the Environmental Protection Agency. "We believe this MOU is an important step in improving the permit decision-making process."

The joint procedures should also improve collection of environmental resource information, prediction of impacts, and planning for mitigation and reclamation.

"This MOU encourages interagency collaboration at the earliest possible stages of project planning. The result will be a more comprehensive environmental review process, which is extremely important as we integrate fish and wildlife considerations with surface coal mining considerations," said Steve A. Williams, Director of the Fish and Wildlife Service.

Information about the Corps' regulatory program is available at <http://www.usace.army.mil/cw/cecwo/reg/> and information about surface mining regulations can be found at <http://www.osmre.gov/> A copy of the MOU can also be found at <http://www.epa.gov/owow/wetlands/>